

ESTTA Tracking number: **ESTTA578997**

Filing date: **12/26/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Plimoth Plantation, Inc.
Granted to Date of previous extension	12/25/2013
Address	PO Box 1620 Plymouth, MA 02362 UNITED STATES

Attorney information	Anthony H. Cataldo Goodwin Procter LLP Exchange Place, 53 State Street Boston, MA 02109 UNITED STATES acataldo@goodwinprocter.com, eyost@goodwinprocter.com, tadmin@goodwinprocter.com Phone:617.570.1000
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Applicant Information

Application No	85878951	Publication date	08/27/2013
Opposition Filing Date	12/26/2013	Opposition Period Ends	12/25/2013
Applicant	Nardo, Renee 43 Samoset Street Plymouth, MA 02360 USX		

Goods/Services Affected by Opposition

Class 030. First Use: 2012/04/23 First Use In Commerce: 2012/12/11
All goods and services in the class are opposed, namely: Popcorn

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3226980	Application Date	11/01/2005
Registration Date	04/10/2007	Foreign Priority Date	NONE
Word Mark	PLIMOTH PLANTATION		

Design Mark	PLIMOTH PLANTATION
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1949/05/15 First Use In Commerce: 1949/05/15 ENTERTAINMENT AND EDUCATIONAL SERVICES,NAMELY MUSEUM SERVICES; PRESENTING EDUCATIONAL DEMONSTRATIONS AND HISTORICAL EXHIBITS OF THE DAILY ACTIVITIES OF SEVENTEENTH CENTURY PILGRIM AND NATIVE SETTLEMENTS; CONDUCTING SEMINARS, PRESENTATIONSAND WORKSHOPS IN THE FIELDS OF HISTORY,GARDENING, AGRICULTURE, COOKING, CRAFTS, FASHION, ART, FURNITURE, ARCHITECTURE AND ARCHAEOLOGY; PROVIDING LIVE MUSICAL CONCERTS

U.S. Registration No.	3359479	Application Date	06/18/2007
Registration Date	12/25/2007	Foreign Priority Date	NONE

Word Mark	PLIMOTH PLANTATION
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Design Mark	
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Description of Mark	The mark consists of a stylized depiction of a Native American and a Pilgrim, appearing in silhouette in a shaded rectangle. Beneath the shaded rectangle the words PLIMOTH PLANTATION are printed in stylized type.
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Goods/Services	Class 041. First use: First Use: 2006/04/00 First Use In Commerce: 2006/04/00 ENTERTAINMENT AND EDUCATIONAL SERVICES,NAMELY MUSEUM SERVICES; PRESENTING EDUCATIONAL DEMONSTRATIONS AND HISTORICAL EXHIBITS OF THE DAILY ACTIVITIES OF SEVENTEENTH CENTURY PILGRIM AND NATIVE SETTLEMENTS; CONDUCTING SEMINARS, PRESENTATIONSAND WORKSHOPS IN THE FIELDS OF HISTORY,GARDENING, AGRICULTURE, COOKING, CRAFTS, FASHION, ART, FURNITURE, ARCHITECTURE AND ARCHAEOLOGY; PROVIDING LIVE MUSICAL CONCERT
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U.S. Application/Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	PLIMOTH PLANTATION
Goods/Services	fudge, tea, candy, snack foods, corn nuggets, corn chowder, syrup, coffee, jelly, jam, nuts and berries, and honey

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PLIMOTH GRIST MILL		
Goods/Services	Corn meal, corn products		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	PLIMOTH CINEMA		
Goods/Services	snack foods, candy, popcorn		

Attachments	78744720#TMSN.jpeg(bytes) 77208373#TMSN.jpeg(bytes) Notice of Opposition and Exhibits A-E.pdf(2229007 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Anthony H. Cataldo/
Name	Anthony H. Cataldo
Date	12/26/2013